

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MATTHEW WIGGINS,

Plaintiff,

v.

No. 1:21-cv-00670-KWR-KBM

T. HATCH, *et al*,

Defendants.

ORDER DENYING IN FORMA PAUPERIS RELIEF

THIS MATTER is before the Court on Plaintiff's Motion to Proceed *in Forma Pauperis* (Doc. 4, supplemented by Doc. 6). He seeks to prosecute his Prisoner Civil Rights Complaint without prepaying the \$402 filing fee. The Court may only grant such relief where an inmate's "affidavit [and] ... statement of ... assets [demonstrates] that the [inmate] is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(1). Plaintiff's financial statement reflects he has \$1,070.97 in his inmate spending account. (Doc. 6 at 4). The Court will therefore deny the Motion. If Plaintiff wishes to prosecute this action, he must prepay the \$402 filing fee within thirty (30) days of entry of this Order. The failure to timely comply will result in the dismissal of this action without prejudice.

IT IS ORDERED that Plaintiff's Motion to Proceed *in Forma Pauperis* (Doc. 4, supplemented by Doc. 6) is **DENIED**; and Plaintiff shall prepay the \$402 filing fee within thirty (30) days from entry of this Order.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE